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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,815	08/21/2002	Shih-Kuang Tsai	IACP0014USA	7779

27765 7590 05/07/2004

NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

LE, DUY K

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,815

Applicant(s)

TSAI ET AL.

Examiner

Duy K Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Rautila (U.S. Patent 6,524,189).

As to claim 1, the Rautila reference discloses a method for a user to play a game stored on a first mobile communication device over a mobile communication network (“the display 220 may be used to display a representation of a game. For example, the phone may include games programmed therein that the user may play while not using the other functions of the phone” (Col. 4, lines 38-41)), the method comprising:

connecting the first mobile communication device to a server of the mobile communication network in order to play the game over the mobile communication network (“FIG. 3 illustrates a multi-player game system 300 according to the present invention. In FIG. 3, mobile phones 310, 312, 314 are coupled in a game scenario through a base station 320. The base station 320 is connected to a game server 330 via a network 340. Each mobile phone 310, 312, 314 include a game unit 340, 342, 344 respectively” (Col. 4, lines 49-54). “One mobile telephone 310 can link more than one game 340, 342 unit to the network 340 thus enabling multiple game units 340, 342 to play games through a single mobile telephone 310. In addition,

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the playing device itself 340 may contain radio unit in order to connect to the PLMN” (Col. 5, lines 9-13)); and

disconnecting the first mobile communication device with the server when the game is finished (the mobile telephone 310 connects to the network and server to play a game with other mobile telephones connected to the network. It is inherent that the mobile phone 310 disconnects from the network and server when a game is finished).

As to claim 3, the Rautila reference discloses the method of claim 1 further comprising:

connecting a second mobile communication device having the same game with the server (“the mobile telephone 310, 312, 314 are connected to each other by a short range radio communication link or, alternatively, through the public land mobile network (PLMN)” (Col. 4, lines 58-61)); and

establishing a connection between the first and second mobile communication devices so that the first and second mobile communication devices are capable of interacting to play the game stored on the first and second mobile communication devices (“in FIG. 4, game unit 1 422, game unit 2 432 and game unit 5 422 have been configured to play a first game. Game unit 1 422, game unit 2 432 and game unit 5 442 are coupled to the network (not shown) via mobile phones 420, 430, 440 respectively” (Col. 5, lines 50-54)).

As to claim 8, the Rautila reference discloses the method of claim 1 wherein the first mobile communication device displays a game status while the game is being played (“game state information” in Col. 6, lines 36-52. “The message displays may be provided for presentation on the mobile phones or on the game device” (Col. 6, lines 58-60)).

As to claim 9, the Rautila reference discloses the method of claim 1 wherein the first mobile communication device is a cellular phone ("one mobile telephone 310 can link more than one game 340, 342 unit to the network 340 thus enabling multiple game units 340, 342 to play games through a single mobile telephone 310. In addition, the playing device itself 340 may contain radio unit in order to connect to the PLMN" (Col. 5, lines 9-13)).

As to claim 10, the Rautila reference discloses the method of claim 1 wherein the mobile communication network is a cellular phone network ("the mobile telephone 310, 312, 314 are connected to each other by a short range radio communication link or, alternatively, through the public land mobile network (PLMN)" (Col. 4, lines 58-61)).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,524,189 to Rautila in view of et al. Tuomela et al. (U.S. Patent Application Publication 2002/0077086 A1).

As to claims 2 and 4, the Rautila reference discloses the method of claims 1 and 3. However, it does not disclose if the first mobile communication device does not receive signals from the server and the second mobile communication device for a predetermined amount of time, disconnecting the first mobile communication device from the server. The Tuomela

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reference teaches if the first mobile communication device does not receive signals from the server and the second mobile communication device for a predetermined amount of time, disconnecting the first mobile communication device from the server ("for this purpose, and referring also to FIG. 5, the caller's mobile station 10 waits for a reply message only for a certain period of time (Step B), and after that notifies the caller that the recipient is not responding. The caller can then abort" (page 6, col. 1, paragraph [0060], lines 8-12)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Rautila to further comprise if the first mobile communication device does not receive signals from the server for a predetermined amount of time, disconnecting the first mobile communication device from the server, as taught by Tuomela, in order to provide a timeout mechanism and keep the mobile communication device from deadlock.

5. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,524,189 to Rautila in view of Goldberg et al. (U.S. Patent 6,712,702).

As to claim 5, the Rautila reference discloses the method of claim 1. However, it does not disclose terminating the game after a limited period of time. The Goldberg reference teaches terminating the game after a limited period of time ("a tournament typically requires a tournament player to complete a specified number of blackjack games in a predetermined amount of time and/or to complete a specified number of blackjack games out of total number of blackjack games" (Col. 8, lines 41-46). See also Col. 14, lines 8-26).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Rautila to further comprise terminating the

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game after a limited period of time, as taught by Goldberg, in order to complete a tournament game in a predetermined allotted time period.

As to claim 6, the Rautila reference discloses the method of claim 1. However, it does not disclose terminating the game after a limited number of rounds. The Goldberg reference teaches terminating the game after a limited number of rounds (see Col. 31, lines 47-60).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Rautila to further comprise terminating the game after a limited number of rounds, as taught by Goldberg, in order to determine a winner after a number of rounds.

As to claim 7, the Rautila reference discloses the method of claim 6. However, it does not disclose the game is won by winning a majority of the number of rounds. The Goldberg reference teaches the game is won by winning a majority of the number of rounds (see Col. 31, lines 47-60).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Rautila wherein the game is won by winning a majority of the number of rounds, as taught by Goldberg, in order to determine a winner after a number of rounds.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

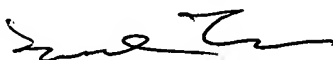
a. Angell et al. (U.S. Patent 6,702,672) discloses wireless interactive gaming system.

- b. Grimm et al. (U.S. Patent Application Publication 2002/0091833 A1) discloses network match maker.
 - c. Hutcheson et al. (U.S. Patent Application Publication 2002/0068592 A1) discloses method and system for providing communications services.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy K Le whose telephone number is 703-305-5660. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Duy Le
April 29, 2004


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600